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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,015	04/13/2005	Karsten Elsholz	112740-1057	2262

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EXAMINER

YOUNG, JANELLE N

ART UNIT PAPER NUMBER

2618

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/527,015	Applicant(s) ELSHOLZ ET AL.	
	Examiner Janelle N. Young	Art Unit 2618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 1-5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 September 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 6-10 rejected under 35 U.S.C. 102(b) as being anticipated by Muller (US Patent 6438375).

As of claim 6, Muller teaches a method for controlling power consumption in mobile station; which reads on claimed an electronic appliance, which has a radio interface; which reads on claimed data interface, suitable for data, message, or paging transmission (Abstract), the method comprising:

providing that the mobile station; which reads on claimed an electronic appliance, automatically turn itself on periodically; which reads on claimed cyclically, to a standby state (Col. 2, lines 20-28; Col. 2, line 65-Col. 3, line 3; and Col. 8, line 66-Col. 9, line 18);

signaling to an application, in connection with the turning-on of the standby state in the mobile station; which reads on claimed an electronic appliance, that the data interface has been enabled for data transmission (Col. 2, lines 6-28; Col. 6, lines 30-49; Col. 7, lines 34-52; and Col. 11, lines 1-20);

registering data, message, or paging transmissions, via the electronic appliance, from the application via the data interface (Col. 2, lines 20-28 and Col. 9, lines 35-48); and

automatically turning on a power-saving mode in the electronic appliance when no data, message, or paging transmissions from the application via the radio interface; which reads on claimed data interface, are registered (Abstract; Col. 2, lines 39-53; Col. 3, line 65 - Col. 4, line 11; Col. 5, lines 4-13; Col. 8, lines 14-16; Col. 9, lines 10-14; and Col. 10, lines 14-16 & 49-68).

Regarding claim 8, see explanation as set forth regarding claim 1 (method claim) because the claimed an electronic appliance for controlling power consumption having a data interface suitable for data transmission would perform the method steps.

As of claim 9, Muller teaches an electronic appliance, wherein the electronic appliance is a GSM module (Col. 6, line 50-Col. 7, line 8).

As of claim 10, Muller teaches an electronic appliance, wherein the power-saving mode is provided as a state which conserves battery life; which reads on claimed lowest power consumption (Abstract; Col. 2, lines 39-53; Col. 5, lines 4-13; Col. 9, lines 10-18; and Col. 10, lines 49-68).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muller (US Patent 6438375) as applied to claim 6 above, and further in view of Yamashita (US Patent 2003/0114205).

As of claim 7, Muller teaches a method for controlling power consumption in an electronic appliance, wherein the power-saving mode if no data is received.

What Muller does not explicitly teach is the given properties specific to the Code Division Multiple Access (CDMA) access technique for planning a cellular radio network for mobile terminals.

However, Yamashita teaches a method for controlling power consumption in an electronic appliance, wherein the power-saving mode is not turned on after the electronic appliance has not received; which reads on claimed registered, any data transmissions via the data interface after a time which can be predetermined in the electronic appliance has elapsed (Fig. 6; Abstract; Page 1, Para. 0013; and Page 3, Para. 0056 of Yamashita).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate the power saving state techniques, as taught by Fagen et al., in the cellular radio network planning of Markus, because Markus already teaches power saving states to conserve battery life and receiving messages during specified time intervals (Abstract of Markus).

The motivation of this combination would be the effect of the limited amount of radio bandwidth, another significant aspect of mobile radio communications is that

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batteries which power the mobile radio stations have a limited life before recharging is necessary. At least from a user's perspective, the portability of mobile radios is enhanced as the size of those portable radios decreases. But smaller battery size typically results in shorter battery life. Accordingly, a desirable objective is to minimize the drain on a mobile's battery while still providing reasonable access so the mobile radio can be quickly located by the radio network, e.g., in order to set up a call, as taught by Muller in Col. 1, lines 47-57, because there is a need for a mobile station to still regularly receive both paging information/data transmission for the mobile or its paging group as well as access restriction information pertinent to that mobile or to its mobile access group relative to that mobile while at the same time conserve its battery power. The incorporation of two types of power saving state would not have all mobiles listening to the paging channel for pages all of the time, but rather enter a "sleep" mode. An idle mobile station need only wake up from sleep mode and monitor the particular timeslot on the paging channel assigned to the paging group to which the mobile station belongs. (Col. 2, lines 29-53 of Muller).

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janelle N. Young whose telephone number is (571) 272-2836. The examiner can normally be reached on Monday through Friday: 8:30 am through 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JNY  
June 8, 2006

  
**NAY MAUNG**  
**SUPERVISORY PATENT EXAMINER**